

SENATE JOINT RESOLUTION 597

By Williams

A RESOLUTION urging the U. S. Congress to reject H.R. 3146 and S. 1349 of the 109th Congress, relative local franchising authority over video programming providers.

WHEREAS, traditionally, local governments have been granted franchising authority over cable video programming providers that operate in the rights of way of local governments; and

WHEREAS, sponsored by Congressman Marsha Blackburn, the Video Choice Act of 2005, (H.R. 3146 and S. 1349), will strip local governments of much of this franchising authority with regard to new entrants into the video programming market, thereby eliminating the basic tool governments use to manage the public rights of way, impose customer service requirements, and enforce obligations of the video programming provider; and

WHEREAS, while the legislation does allow local governments the authority to collect franchise fees, it strips local governments of any effective mechanism to audit or enforce a local franchise fee; and

WHEREAS, the Video Choice Act of 2005 preempts local governments' involvement in rate and service regulation and consumer protection authority, leaving consumers faced with the task of pursuing a complaint through the Federal Communications Commission; and

WHEREAS, by relieving new entrants into the video programming market from local franchising and regulation, this legislation gives a competitive advantage to those new entrants over existing cable television providers; now, therefore,

BE IT RESOLVED BY THE SENATE OF THE ONE HUNDRED FOURTH GENERAL ASSEMBLY OF THE STATE OF TENNESSEE, THE HOUSE OF REPRESENTATIVES CONCURRING, that we hereby urge each member of the United States Congress to protect the

franchising rights of local governments over video programming providers by opposing the Video Choice Act of 2005, (H.R. 3146 and S. 1349).

BE IT FURTHER RESOLVED, that enrolled copies of this resolution be sent to the President and Secretary of the United States Senate, the Speaker and Clerk of the United States House of Representatives, and each member of Tennessee's Congressional delegation.